

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: PROCESSED EGG PRODUCTS ANTITRUST LITIGATION	: : : : : : :	MULTIDISTRICT LITIGATION
<i>THIS DOCUMENT APPLIES TO ALL ACTIONS</i>	: :	No. 08-md-2002

AMENDED CASE MANAGEMENT ORDER NO. 25

AND NOW, this 4th day of March, 2019, upon consideration of the parties' joint proposal regarding the scheduling of future deadlines for this litigation, as addressed with counsel during oral argument on December 19, 2018, and subsequent letters from counsel, it is **ORDERED** that trial for the Direct Action Plaintiffs shall proceed pursuant to the following schedule:

I. PRETRIAL PREPARATION SCHEDULE

A. Motions *in Limine*

1. The parties shall file any motions *in limine* on or before **July 12, 2019**.
2. The parties shall file responses to motions *in limine*, if any, on or before **August 9, 2019**.
3. Oral argument on the motions *in limine* will be held on **September 5, 2019, at 10:00 a.m.** in Courtroom 10B, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania 19106.

B. Exchanging Materials Prior to Filing Deadlines with the Court

1. Counsel shall work together to develop and agree to a schedule for exchanging, *inter alia*, proposed witness and exhibit lists, deposition designations, proposed stipulations and uncontested facts. These must all be exchanged on or before **June 14, 2019**. If the parties wish, they may submit a stipulation, agreed to by all parties, detailing a schedule for exchanges among the parties in advance of this deadline.

C. Proposals and objections

1. The parties shall file proposed (a) voir dire questions (b) jury instructions, (c) verdict forms and (d) a joint statement of the case on or before **September 20, 2019**.
2. The parties shall submit objections to the proposed exhibits and deposition designations or counter-designations on or before **July 26, 2019**.

D. Final Pretrial Order

1. The parties shall file a proposed Final Pretrial Order (proposed drafts having been exchanged by September 27, 2019) in accordance with Local Rule 16.1(d)(2), on or before **October 11, 2019**.

E. Final Pretrial Conference

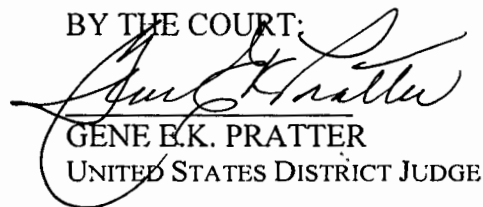
1. A Final Pretrial Conference will be held on **October 17, 2019 at 10:00 a.m.** in Courtroom 10B, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania 19106.

II. TRIAL

- A. The Court concludes convenience and judicial economy in this litigation will be best served with the Direct Purchaser Class (DPPs) and the Direction Action Plaintiffs (DAP) cases tried separately as to both liability and any damages. The trials will be bifurcated.¹
- B. The DAP liability phase is scheduled for a jury trial beginning **October 31, 2019 at 9:30 a.m.** in Courtroom 10B, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania 19106.
- C. The DAP damages phase (if any) will be held before the same jury on **December 9, 2019, at 9:30 a.m.** in Courtroom 10B, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania 19106.

It is so ORDERED.

BY THE COURT:



GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE

¹ The Court recognizes that the DAPs are now requesting not to bifurcate the trial in this case. However, the decision to bifurcate the DAPs trial has already been made as this exact paragraph was included in Case Management Order No. 24. See Case Management Order No. 24, p. 2 (Doc. No. 1560).